Approved For Release 2001/08/23 : CIA-RDP57-00384R000490090074H

2 July 1947

MEMORARDON FOR LEGISLATIVE LIAISON OFFICER

Subject: Explanatory Notes on Statutes Cited for Proposed Legislation - Draft of 9 June 1947

The preposed bill is considered by sections and notes made on statutes cited therein.

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SECTION S(b)(2)1

accepts a civil office shall cease to be an officer who accepts a civil office shall cease to be an officer of the Army, and his commission vasated. This statute is explicit, and specific exception should be made in the proposed legislation. Note that there is no such blanket prohibition on Navy officers, and consequently no statute is cited for them.

ment of Foreign Service Act of 1946 permits assignment of Foreign Service officers to other agencies, but makes special provision for assignment to the Department of State, which to our mind makes unclear the individual status when assigned to another agency; consequently, specific exception was again made to prevent confusion.

ECTION 2(b)(3)1

This section is intended to permit employment of any retired officer of the named services. For this purpose it is necessary to make exception to the provisions of:

- 1. 5 U.S.C. 58, which prohibits more than one salary from appropriated funds when the combined magunt exceeds (2000;
- 2. 5 U.S.C. 59 which qualifies 53 by certain exceptions;
- tired officers from receiving retired pay if the combined civilian and retired pay exceeds \$3000 per sinum except as to officers retired for combat disability or disabilities resulting from explosion of instrumentality of war

in line of duty;

4. 5 0.3.3. 68, which prohibits appointment to a civilian office of a retired officer receiving retired pay of \$2500, unless such officer were retired for combat castalties or for incapacity in the line of duty.

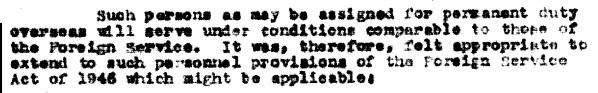
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SECTION 4(1)1

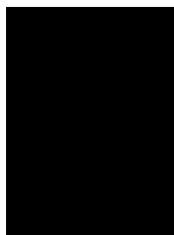
Section 3709 Revised Statutes, 41 U.S.C. 5, requires advertising for proposed procurement in amounts over \$100 except in the case of public exigencies or when only one source is available, or in certain cases of personal service contracts. Most procurement for CIA would comply with Section 3709, but it will be essential to have exceptions to protect the security and ready availability of certain operational equipment.

DECITOR 4(8):

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- l. Section 901 of that het provides for special allowances set by the pacretary of State to provide for extraordinary circumstances created by local conditions such as shortage of facilities, unusually high cost of living, extraordinary and necessary expenses, and unhealthful or excessively adverse living conditions:
- 2. Section all permits the Secretary of State to set regulations for payment of travell expenses of officers and employees and their families, and incidental expenses for periods of home leave;
- 3. Section 912 permits the loan of househeld equipment to efficers and employees to eliminate transportation costs;
- 4. Section 915 permits transportation for or on behalf of an efficer or employee of a privately-example automobile for part or all of the distance on a permanent transfer;



under such regulations as the Secretary of State may provide:

- 6. Section 932 provides for sick leave;
- 7. Section 983 requires the Secretary to order to the continental U.S. on statutory leave of absence my officer and employee upon completion of two years? service abroad, or as soon as possible thereafter;
- 8. Section 355 provides for the transfer of leave of absence on appointment to the Foreign Service or another agency up the maximum permitted by the agency to which appointed.
- 9. Section 341 permits the Secretary to pay for costs of line of duty illness or injury requiring hospitalisation in a suitable hospital or clinic.
- portation to a suitable hespital or clinic of employees injured or ill in the line of duty where no facilities are available at their post of duty, and for travel of an attendant if necessary. It also provides for a first-aid station and a nurse at the post if the Secretary does sufficient personnel is employed to warrant such a station;
- ll. Section 945 provides for physical examinations and costs of inneculations for employees who are citizens of the United States.

350TION 4(5)1

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getten 36% Revised Statutes (31 U.S.C. 545) prohibits exchange of funds by any disbursing officer or agent
of the Opvernment other than exchange for gold, silver,
U.S. Notes and Mational Bank Notes, and provides further
for restrictions on such permitted exchanges. It requires
the head of the agency to suspend the agent who violates
the provisions of this section, and report to the President
for removal or reinstatement. It is essential to the operations of the Central Intelligence Agency to have an everytion from the specific terms of this statute.

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SECTION 4(7)1

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The Act of August 34, 1912 87 Stat. 555, 30-3-7.

658/ prohibits removal of classified civil service employees except for such cause as will premote the efficiency of the Service, and for reasons given in writing, with notice to the person affected of the charges preferred. Such a prohibition is not consistent with the peculiar security requirements of an intelligence agency. The further phrane requirements of an intelligence agency. The further phrane as a cor the provisions of any other law a cor is included to climinate other restrictions such as special status given to veterans and general administrative limitations on the discharge of employees.

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